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7 Attorneys for Third-Party Garnishee
ROSENDIN ELECTRIC, INC.

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 * * *

12 TRUSTEES OF THE CONSTRUCTION
INDUSTRY AND LABORERS HEALTH
13 AND WELFARE TRUST; TRUSTEES OF
THE CONSTRUCTION INDUSTRY AND
LABORERS JOINT PENSION TRUST;
14 TRUSTEES OF THE CONSTRUCTION
INDUSTRY AND LABORERS VACATION
15 TRUST; AND TRUSTEES OF THE
SOUTHERN NEVADA LABORERS LOCAL
16 872 TRAINING TRUST,

17 Plaintiffs,

18 vs.

19 JR CONCRETE CUTTING, INC., a Nevada
corporation; and EDITH RICHELLE
20 HERRERA, an individual,

21 Defendants.
22

CASE NO. 2:09-cv-01897-RDJ-RJJ

**AMENDED ORDER DENYING
PLAINTIFFS' MOTION FOR
GARNISHEE JUDGMENT AGAINST
ROSENDIN ELECTRIC, INC.**

23 THIS MATTER having come on for hearing on June 19, 2013 on Plaintiffs Trustees of
24 the Construction Industry and Laborers Health and Welfare Trust, Trustees of the Construction
25 Industry and Laborers Joint Pension Trust, Trustees of the Construction Industry and Laborers
26 Vacation Trust, and Trustees of the Southern Nevada Laborers Local 872 Training Trust
27 (collectively "Plaintiffs") Motion for Garnishee Judgment Against Rosendin Electric, Inc.
28 ("Motion") [Dkt. 28], Ryan C. Curtis, Esq. of Brownstein Hyatt Farber Schreck appeared on

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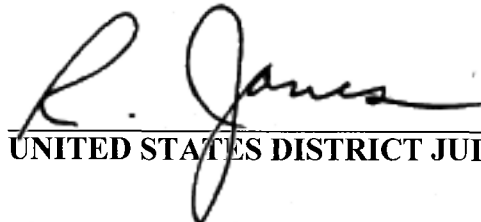
1 behalf of Plaintiffs and Georlen K. Spangler, Esq. of Kolesar & Leatham having appeared on
2 behalf of Third-Party Garnishee, Rosendin Electric, Inc. ("Rosendin"), and the Court having
3 received and reviewed the Motion, Rosendin's Opposition, and the Plaintiffs' Reply, and having
4 heard the arguments of counsel and being fully advised in the premises, and good cause
5 appearing therefore, the Court finds as follows:

6 1. The Plaintiffs' Motion for Garnishee Judgment against Rosendin Electric, Inc. is
7 hereby DENIED.

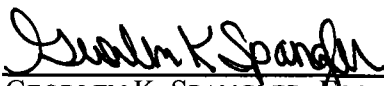
8 2. Rosendin shall have ten (10) days from the date of this Order within which to
9 answer the Garnishment Interrogatories.

10 3. Rosendin shall provide two (2) answers to the Garnishment Interrogatories: one
11 set shall be responsive to conditions that existed on May 31, 2012, the date the Writ of
12 Garnishment was served; and one set shall be responsive to conditions that exist as of the date
13 that the Garnishment Interrogatories are signed. The answers shall be served upon the Plaintiffs'
14 counsel directly instead of through the U.S. Marshall's office and a copy of the answers shall be
15 filed with the Court. If any monies are found to be owing to JR Concrete, as evidenced by the
16 answers, Rosendin shall pay those monies to the Plaintiff without need of any further
17 proceedings.

18 Dated this 12th day of July, 2013.

19
20 
21 UNITED STATES DISTRICT JUDGE

22 Respectfully submitted:

23
24 By: 
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Attorneys for ROSENDIN ELECTRIC, INC.